

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

UMG RECORDINGS, INC., a Delaware corporation; CAPITOL RECORDS, LLC, a Delaware limited liability company; INTERSCOPE RECORDS, a California general partnership; and ATLANTIC RECORDING CORPORATION, a Delaware corporation,

Plaintiffs,

v.

VINCENT NUTTER,

Defendant.

**No. 2:08-cv-00665-RAJ-RSL
Yarmuth File Sharing Litigation**

**DEFAULT JUDGMENT AND
PERMANENT INJUNCTION**

Having considered Plaintiffs' Application for Default Judgment by the Court, and good cause appearing therefore, it is ORDERED:

1. Plaintiffs seek the minimum statutory damages of \$750 per infringed work, as authorized under the Copyright Act (17 U.S.C. § 504(c)(1)), for each of the twelve sound recordings listed in Exhibit A to the Amended Complaint. Accordingly, having been adjudged to be in default, Defendant shall pay damages to Plaintiffs for infringement of Plaintiffs' copyrights in the sound recordings listed in Exhibit A to the Complaint, in the total principal sum of Nine Thousand Dollars (\$9,000.00).

2. Defendant shall further pay Plaintiffs' costs of suit herein in the amount of Six Hundred Eight Dollars and Seventy Cents (\$608.70).


3. Defendant shall be and hereby is enjoined from directly or indirectly infringing Plaintiffs' rights under federal or state law in the following copyrighted sound recordings:

- "Tom Sawyer," on album "Moving Pictures," by artist "Rush" (SR# 25-005);
- "Money," on album "Dark Side Of The Moon," by artist "Pink Floyd" (SR# N5354);
- "I Won't Back Down," on album "Full Moon Fever," by artist "Tom Petty" (SR# 103-541);
- "Ex-Girlfriend," on album "Return Of Saturn," by artist "No Doubt" (SR# 279-727);
- "I Am," on album "Kid Rock," by artist "Kid Rock" (SR# 352-774);
- "Mother," on album "The Wall," by artist "Pink Floyd" (SR# 14-787);
- "Comfortably Numb," on album "The Wall," by artist "Pink Floyd" (SR# 14-787);
- "Detroit Rock City," on album "Double Platinum," by artist "Kiss" (SR# 8-538);
- "Ridin," on album "The Sound of Revenge," by artist "Chamillionaire" (SR# 381-901);
- "Blueberry Yum Yum," on album "The Red Light District," by artist "Ludacris" (SR# 364-863);
- "Free Bird," on album "Pronounced Leh'nerd Skin'-nerd," by artist "Lynyrd Skynyrd" (SR# N8871);
- "Just A Girl," on album "Tragic Kingdom," by artist "No Doubt" (SR# 206-734);

and in any other sound recording, whether now in existence or later created, that is owned or controlled by the Plaintiffs (or any parent, subsidiary, or affiliate record label of Plaintiffs)

("Plaintiffs' Recordings"), including without limitation by using the Internet or any online media distribution system to reproduce (i.e., download) any of Plaintiffs' Recordings, to distribute (i.e., upload) any of Plaintiffs' Recordings, or to make any of Plaintiffs' Recordings available for distribution to the public, except pursuant to a lawful license or with the express authority of Plaintiffs. Defendant also shall destroy all copies of Plaintiffs' Recordings that Defendant has downloaded onto any computer hard drive or server without Plaintiffs' authorization and shall destroy all copies of those downloaded recordings transferred onto any physical medium or device in Defendant's possession, custody, or control.

Dated this 21st day of January, 2009.


Robert S. Lasnik
United States District Judge

Presented by:

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